

ORDINANCE NO. 14,460

AN ORDINANCE vacating the excess East 25th Street right-of-way lying west of and adjoining 2501 University Avenue.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the excess East 25th Street right-of-way lying west of and adjoining 2501 University Avenue, more specifically described as follows, be and is hereby vacated.

Parcel A, being that part of the of East 25th Street and that part of Lots 1, 2 and 3, Block 8 in YORK'S CHOICE, an Official Plat, that lies West of and adjoining Lots 56, 57 and 58, Block 9 of said YORK' CHOICE, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, all lying East of the Re-located East 25th Street as presently established and more particularly described as follows;

Beginning at the Northwest corner of Lot 58, Block 9 of said YORK'S CHOICE; thence South 0°12'52"West, along the West line of said Block 9, a distance of 75.05 feet to the Southwest corner of Lot 56 in said Block 9, YORK'S CHOICE; thence South 89°24'47" West, along the westerly extension of the South line of said Lot 56, a distance of 25.16 feet to the easterly right-of-way line of the re-located East 25th Street; thence northwesterly along a 179.50 foot radius curve concave southwesterly with a central angle of 1°25'53", an arc distance of 4.48 feet; thence North 35°00'00"West, 25.43 feet; thence northwesterly along a 120.50 foot radius curve concave northeasterly with a central angle of 25°00'03", an arc distance of 52.58 feet; thence North 10°00'00"West, 2.41 feet to the South right-of-way line of Primary Road No. Iowa 163, locally known as East University Avenue, as presently established; thence North 90°00'00"East, along the South right-of-way line of East University Avenue, 62.59 feet to the Point of Beginning, containing 3,580 square feet, more or less, and subject to any easements or restrictions of record.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 05-1424), passed by the City Council of said City at a meeting held June 6, 2005 signed by the Mayor on June 6, 2005 and published as provided by law in the Business Record on June 20, 2005 Authorized by Publication Order No.4818.

Diane Rauh, City Clerk